

AVAILABILITY OF MODIFIED TEXT

NOTICE IS HEREBY GIVEN that the Department of Consumer Affairs/Bureau of Automotive Repair has proposed modifications to the text of Section 3340.17 in Title 16 of the California Code of Regulations which was the subject of regulatory hearings on November 20 and 22, 2003. A copy of the modified text is enclosed.

Any person who wishes to comment on the proposed modifications may do so by submitting **written** comments no later than 5:00 p.m. on February 20, 2003, to the following:

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Please note that comments should be limited to only the most recent modifications made to the originally proposed language. Double underlining in the enclosed modified text indicates these modifications. Any comment not relating to the modified text will not be given consideration.

DATED: February 5, 2003

/s/_____
PATRICK DORAIS
Acting Chief
Bureau of Automotive Repair

BUREAU OF AUTOMOTIVE REPAIR

MODIFIED LANGUAGE OF PROPOSED REGULATIONS

Legend: Deleted text is indicated by ~~striethrough~~.
Added text is indicated by underlining.
Omitted text is indicated by (* * * *).
Deletions of proposed amendments are indicated by ~~striethrough with underlining~~.
New additions are indicated by double underlining.

Section 3340.17 of Article 5.5 of Chapter 1 of Division 33 of Title 16 of the California Code of Regulations is amended to read as follows:

§ 3340.17. Test Equipment, Electronic Transmission, Maintenance and Calibration

Requirements.

(a)(1) Until July 1, 2003~~January 1, 2004~~, Each smog check station operating in a basic-area shall have a BAR certified test analyzer system that meets the specifications contained in the BAR-90 Test Analyzer System Specifications dated April 1996, hereby incorporated by reference. Vehicle data emission test results shall be transmitted to the department's centralized data base in accordance with the procedures contained in these specifications, which include the form, manner and frequency of data transmittals. The test analyzer system shall be maintained and calibrated in accordance with the bureau's BAR-90 Test Analyzer System Specifications referenced in this subsection, and in accordance with the manufacturer's specifications. The test analyzer system shall have the most current software and hardware updates required by the bureau.

(2) On and after July 1, 2003~~January 1, 2004~~, each smog check station operating in other than an enhanced program area shall have a BAR certified emissions inspection system, as specified in subsection (b), except that the hardware and the software necessary to conduct dynamometer based, loaded-mode emissions inspections shall not be required. Vehicle data emission test results shall be transmitted to the department's centralized data base in accordance

with the procedures contained in the specifications referenced in subsection (b), which include the form, manner and frequency of data transmittals. The emissions inspection system shall be maintained and calibrated in accordance with the specifications referenced in subsection (b), and in accordance with the manufacturer's specifications. The emissions inspection system shall have the most current software and hardware updates required by the bureau.

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(d) A test analyzer system or emissions inspection system shall only be used within a building and shall not be used in an environment that would subject the test analyzer system or emissions inspection system, to excessive heat, cold, dust, or moisture. The specifications for environmental conditions are referenced in the bureau's "BAR Exhaust Gas Analyzer Specifications" dated 1980, as herein incorporated by reference, and in the BAR-90 Test Analyzer System Specifications and BAR-97 Emissions Inspection System Specifications referenced in subsections (a) and (b) of this section.

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NOTE: Authority cited: Sections 44002, 44036 and 44037.1, Health and Safety Code. Reference: Sections 44012, 44036 and 44037.1, Health and Safety Code.